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SENATE BILL 6707

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State of Washington 57th Legislature

2002 Regular Session

By Senators Jacobsen, Horn and Kohl-Welles; by request of Governor Locke

Read first time 01/28/2002. Referred to Committee on Higher Education.

1 AN ACT Relating to tuition-setting authority and accountability for  
2 the use of tuition at institutions of higher education; amending RCW  
3 28B.15.031, 28B.15.066, 28B.15.067, 28B.15.069, and 28B.15.100; adding  
4 a new section to chapter 28B.15 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** Public higher education funding is a shared  
7 responsibility between the state, students, and the public colleges and  
8 universities. Periodic increases in state funding, state financial  
9 aid, and tuition must be authorized to provide quality higher education  
10 for the citizens of Washington. It is the intent of the legislature to  
11 authorize the governing boards to establish tuition rates, to make  
12 colleges and universities responsible to provide quality programs, and  
13 to provide state fund appropriations so that tuition increases can  
14 support program improvements.

15 **Sec. 2.** RCW 28B.15.031 and 1996 c 142 s 2 are each amended to read  
16 as follows:

17 The term "operating fees" as used in this chapter shall include the  
18 fees, other than building fees, charged all students registering at the

1 state's colleges and universities but shall not include fees for short  
2 courses, self-supporting degree credit programs and courses, marine  
3 station work, experimental station work, correspondence or extension  
4 courses, and individual instruction and student deposits or rentals,  
5 disciplinary and library fines, which colleges and universities shall  
6 have the right to impose, laboratory, gymnasium, health, technology and  
7 student activity fees, or fees, charges, rentals, and other income  
8 derived from any or all revenue producing lands, buildings and  
9 facilities of the colleges or universities heretofore or hereafter  
10 acquired, constructed or installed, including but not limited to income  
11 from rooms, dormitories, dining rooms, hospitals, infirmaries, housing  
12 or student activity buildings, vehicular parking facilities, land, or  
13 the appurtenances thereon, or such other special fees as may be  
14 established by any college or university board of trustees or regents  
15 from time to time. All moneys received as operating fees at any  
16 institution of higher education shall be deposited in a local account  
17 containing only operating fees revenue and related interest: PROVIDED,  
18 That a minimum of three and one-half percent of operating fees shall be  
19 retained by the institutions(~~(, except the technical colleges,)~~) for  
20 the purposes of RCW 28B.15.820. Local operating fee accounts shall not  
21 be subject to appropriation by the legislature or allotment procedures  
22 under chapter 43.88 RCW.

23 **Sec. 3.** RCW 28B.15.066 and 2000 c 152 s 2 are each amended to read  
24 as follows:

25 It is the intent of the legislature that:

26 In making appropriations from the state's general fund to  
27 institutions of higher education, each appropriation shall conform to  
28 the following:

29 (1) The appropriation shall not be reduced by the amount of  
30 operating fees revenue estimated to be collected from students enrolled  
31 at the state-funded enrollment level specified in the omnibus biennial  
32 operating appropriations act;

33 (2) The appropriation shall not be reduced by the amount of  
34 operating fees revenue collected from students enrolled above the  
35 state-funded level(~~(, but within the over-enrollment limitations,)~~)  
36 specified in the omnibus biennial operating appropriations act; and

37 (3) The general fund state appropriation shall not be reduced by  
38 the amount of operating fees revenue collected as a result of waiving

1 less operating fees revenue than the amounts authorized under RCW  
2 28B.15.910. State general fund appropriations shall not be provided  
3 for revenue foregone as a result of or for waivers granted under RCW  
4 28B.15.915.

5 **Sec. 4.** RCW 28B.15.067 and 1997 c 403 s 1 are each amended to read  
6 as follows:

7 (1) Tuition fees shall be established under the provisions of this  
8 chapter.

9 (2) ~~((Academic year tuition for full-time students at the state's  
10 institutions of higher education for the 1997-98 academic year, other  
11 than the summer term, shall be as provided in this subsection.~~

12 ~~(a) At the University of Washington and Washington State  
13 University:~~

14 ~~(i) For resident undergraduate students and other resident students  
15 not in graduate, law, or first professional programs, two thousand nine  
16 hundred eighty-eight dollars;~~

17 ~~(ii)(A) For nonresident undergraduate students and other  
18 nonresident students at the University of Washington not in graduate,  
19 law, or first professional programs, ten thousand two hundred seventy-  
20 eight dollars;~~

21 ~~(B) For nonresident undergraduate students and other nonresident  
22 students at Washington State University not in graduate or first  
23 professional programs, nine thousand eight hundred seventy dollars;~~

24 ~~(iii) For resident graduate students, four thousand eight hundred  
25 fifty-four dollars;~~

26 ~~(iv) For nonresident graduate students, twelve thousand five  
27 hundred eighty-eight dollars;~~

28 ~~(v) For resident law students, five thousand ten dollars;~~

29 ~~(vi) For nonresident law students, twelve thousand nine hundred  
30 fifteen dollars;~~

31 ~~(vii) For resident first professional students, eight thousand one  
32 hundred twelve dollars; and~~

33 ~~(viii) For nonresident first professional students, twenty-one  
34 thousand twenty-four dollars.~~

35 ~~(b) At the regional universities and The Evergreen State College:~~

36 ~~(i) For resident undergraduate and all other resident students not  
37 in graduate programs, two thousand two hundred eleven dollars;~~

1       ~~(ii) For nonresident undergraduate and all other nonresident~~  
2 ~~students not in graduate programs, eight thousand six hundred forty-six~~  
3 ~~dollars;~~

4       ~~(iii) For resident graduate students, three thousand seven hundred~~  
5 ~~twenty-six dollars; and~~

6       ~~(iv) For nonresident graduate students, eleven thousand nine~~  
7 ~~hundred seventy-six dollars.~~

8       ~~(c) At the community colleges:~~

9       ~~(i) For resident students, one thousand three hundred eleven~~  
10 ~~dollars; and~~

11       ~~(ii) For nonresident students, five thousand five hundred eighty-~~  
12 ~~six dollars.~~

13       ~~(3) Academic year tuition for full-time students at the state's~~  
14 ~~institutions of higher education beginning with the 1998-99 academic~~  
15 ~~year, other than the summer term, shall be as provided in this~~  
16 ~~subsection unless different rates are adopted in the omnibus~~  
17 ~~appropriations act.~~

18       ~~(a) At the University of Washington and Washington State~~  
19 ~~University:~~

20       ~~(i) For resident undergraduate students and other resident students~~  
21 ~~not in graduate, law, or first professional programs, three thousand~~  
22 ~~one hundred eight dollars;~~

23       ~~(ii)(A) For nonresident undergraduate students and other~~  
24 ~~nonresident students at the University of Washington not in graduate,~~  
25 ~~law, or first professional programs, eleven thousand one hundred thirty~~  
26 ~~dollars;~~

27       ~~(B) For nonresident undergraduate students and other nonresident~~  
28 ~~students at Washington State University not in graduate or first~~  
29 ~~professional programs, ten thousand two hundred sixty-six dollars;~~

30       ~~(iii) For resident graduate students, five thousand forty-six~~  
31 ~~dollars;~~

32       ~~(iv) For nonresident graduate students, thirteen thousand ninety-~~  
33 ~~two dollars;~~

34       ~~(v) For resident law students, five thousand three hundred seventy-~~  
35 ~~six dollars;~~

36       ~~(vi) For nonresident law students, thirteen thousand seven hundred~~  
37 ~~eighty-two dollars;~~

38       ~~(vii) For resident first professional students, eight thousand four~~  
39 ~~hundred thirty-six dollars; and~~

1       ~~(viii) For nonresident first professional students, twenty-one~~  
2 ~~thousand eight hundred sixty-four dollars.~~

3       ~~(b) At the regional universities and The Evergreen State College:~~

4       ~~(i) For resident undergraduate and all other resident students not~~  
5 ~~in graduate programs, two thousand two hundred ninety-eight dollars;~~

6       ~~(ii) For nonresident undergraduate and all other nonresident~~  
7 ~~students not in graduate programs, eight thousand nine hundred ninety-~~  
8 ~~one dollars;~~

9       ~~(iii) For resident graduate students, three thousand eight hundred~~  
10 ~~seventy-six dollars; and~~

11       ~~(iv) For nonresident graduate students, twelve thousand four~~  
12 ~~hundred fifty-six dollars.~~

13       ~~(c) At the community colleges:~~

14       ~~(i) For resident students, one thousand three hundred sixty-two~~  
15 ~~dollars; and~~

16       ~~(ii) For nonresident students, five thousand eight hundred eight~~  
17 ~~dollars.~~

18       ~~(4) For the 1997-98 and 1998-99 academic years, the University of~~  
19 ~~Washington shall use at least ten percent of the revenue received from~~  
20 ~~the difference between a four percent increase in tuition fees and the~~  
21 ~~actual increase charged to law students to assist needy low and middle-~~  
22 ~~income resident law students. For the 1997-98 and 1998-99 academic~~  
23 ~~years, the University of Washington shall use at least ten percent of~~  
24 ~~the revenue received from the difference between a four percent~~  
25 ~~increase in tuition fees and the actual increase charged to nonresident~~  
26 ~~undergraduate students and all other nonresident students not in~~  
27 ~~graduate, law, or first professional programs to assist needy low and~~  
28 ~~middle-income resident undergraduate students and all other resident~~  
29 ~~students not enrolled in graduate, law, or first professional programs.~~  
30 ~~This requirement is in addition to the deposit requirements of the~~  
31 ~~institutional aid fund under RCW 28B.15.820.~~

32       ~~(5))~~ (a) For the 2003-04 academic year and each academic year  
33 thereafter, the governing boards of the state universities, the  
34 regional universities, The Evergreen State College, and the state board  
35 for community and technical colleges may reduce or increase full-time  
36 tuition fees for resident undergraduate students, including summer  
37 school students. Percentage increases in full-time tuition fees may  
38 exceed the fiscal growth factor. Reductions or increases may be made  
39 for all or portions of an institution's programs, campuses, courses, or

1 students. Reductions and increases for resident undergraduate students  
2 at the community and technical colleges are limited to no more than ten  
3 percent per year starting with the 2003-04 academic year.

4 (b) For the 2003-04 academic year and each academic year  
5 thereafter, the governing boards of the state universities, the  
6 regional universities, The Evergreen State College, and the state board  
7 for community and technical colleges may reduce or increase full-time  
8 tuition fees for all students other than resident undergraduates,  
9 including summer school students. Percentage increases in full-time  
10 tuition fees may exceed the fiscal growth factor. Reductions or  
11 increases may be made for all or portions of an institution's programs,  
12 campuses, courses, or students.

13 (3) The legislature shall continue to fund the state need grant  
14 program to support changes in overall program eligibility, increases in  
15 enrollments, and changes in tuition. The legislature shall increase  
16 funding for the state need grant program to support annual tuition  
17 increases of up to ten percent. If any undergraduate resident tuition  
18 rate is increased in excess of ten percent, the state universities, the  
19 regional universities, and The Evergreen State College are responsible  
20 for providing funds from local revenues to state need grant recipients  
21 to cover the increased costs in tuition and fees resulting from the  
22 tuition increase above ten percent. The amount provided per student  
23 shall be at the same proportion as the increase in the underlying state  
24 need grant for the tuition and fees increase up to ten percent. This  
25 amount of local need grant support shall be carried forward into  
26 following years and adjusted for any future tuition and state need  
27 grant program changes. The state universities, the regional  
28 universities, and The Evergreen State College shall submit a report to  
29 the office of financial management and the higher education  
30 coordinating board at the conclusion of each academic year, describing  
31 how state and institutional funds were awarded to state need grant  
32 recipients.

33 (4) The tuition fees established under this chapter shall not apply  
34 to high school students enrolling in participating institutions of  
35 higher education under RCW 28A.600.300 through ((28A.600.395))  
36 28A.600.400.

37 NEW SECTION. Sec. 5. A new section is added to chapter 28B.15 RCW  
38 to read as follows:

1 (1) In recognition of increasing authority at the state  
2 universities, the regional universities, and The Evergreen State  
3 College, to promote accountability these institutions shall permit  
4 entering freshmen and resident students enrolled in one hundred twenty  
5 semester hour or one hundred eighty quarter hour programs to enter into  
6 an agreement with the institution to guarantee that the student will be  
7 able to graduate in four years. Resident students transferring from  
8 other institutions of higher education may have an individual agreement  
9 developed by an academic advisor establishing a guaranteed graduation  
10 date based on the degree program to be undertaken, credits accepted  
11 toward program requirements, and term of arrival at the four-year  
12 institution of higher education.

13 (2)(a) The state universities, the regional universities, and The  
14 Evergreen State College shall guarantee that a student enrolled in a  
15 four-year course of study will be able to graduate in four years if  
16 they meet the requirements of this subsection. Guarantees for students  
17 transferring from other institutions of higher education shall be  
18 individually developed and a guaranteed graduation date established  
19 based on the student meeting the requirements of this subsection (2).

20 (b) To secure the guarantee in this subsection (2), each student  
21 and an academic advisor of that institution of higher education must  
22 enter an agreement establishing a graduation action plan for an  
23 approved course of study before enrollment.

24 (c) Students are responsible to complete courses successfully and  
25 in a timely manner to maintain progress required by the graduation  
26 action plan. Students with agreements under this section, however, are  
27 not restricted any differently than other students from attending,  
28 enrolling in courses, or graduating.

29 (d) Students are responsible for gaining acceptance into the degree  
30 program specified in their graduation action plan. Degree program  
31 admissions policies and procedures are not affected by the provisions  
32 of this section.

33 (e) The state universities, the regional universities, and The  
34 Evergreen State College are responsible for providing students with  
35 access to courses, or approved substitute courses, necessary for  
36 students to meet the requirements of their graduation action plans.  
37 Four-year institutions of higher education may provide priority  
38 enrollment to students with guaranteed graduation dates under the  
39 provisions of this section.

1 (3) If a student with an existing guarantee under a graduation  
2 action plan desires to change degree programs, the four-year  
3 institution of higher education shall determine if the existing  
4 guarantee can remain in force and, if so, will develop a new graduation  
5 action plan. If the four-year institution of higher education cannot  
6 accommodate a student's change of degree program made after the student  
7 completes more than fifteen credit hours, the institution is not under  
8 an obligation to change the guarantee or the graduation action plan  
9 under which it was established.

10 (4) Should a four-year institution of higher education be unable to  
11 provide the necessary courses, preventing a student from graduating in  
12 the quarter established in the graduation action plan, the institution  
13 shall waive all tuition and fees for additional courses necessary to  
14 meet the requirements of the graduation action plan that must be taken  
15 after the guaranteed graduation date. Enrollment in required courses  
16 without charging any tuition or any fees is the full extent of the  
17 remedy available to a student under the guarantee.

18 (5) The state universities, the regional universities, and The  
19 Evergreen State College shall report annually, by December 15th, to the  
20 office of financial management, the higher education coordinating  
21 board, and the fiscal committees and the higher education committees of  
22 the legislature, the number of students who have approved graduation  
23 action plans, the number of students who have graduated by the  
24 guaranteed graduation date, and waivers provided under this section  
25 during the prior academic year.

26 **Sec. 6.** RCW 28B.15.069 and 1997 c 403 s 2 are each amended to read  
27 as follows:

28 ~~(1) ((As used in this section, each of the following subsections is~~  
29 ~~a separate tuition category:~~

30 ~~(a) Resident undergraduate students and all other resident students~~  
31 ~~not in first professional, graduate, or law programs;~~

32 ~~(b) Nonresident undergraduate students and all other nonresident~~  
33 ~~students not in first professional graduate or law programs;~~

34 ~~(c) Resident graduate students;~~

35 ~~(d) Resident law students;~~

36 ~~(e) Nonresident graduate students;~~

37 ~~(f) Nonresident law students;~~

38 ~~(g) Resident first professional students; and~~

1       ~~(h) Nonresident first professional students.~~

2       ~~(2) Unless the context clearly requires otherwise, as used in this~~  
3 ~~section "first professional programs" means programs leading to one of~~  
4 ~~the following degrees: Doctor of medicine, doctor of dental surgery,~~  
5 ~~or doctor of veterinary medicine.~~

6       ~~(3))~~ The building fee for each academic year shall be a percentage  
7 of total tuition fees. This percentage shall be calculated by the  
8 higher education coordinating board and be based on the actual  
9 percentage the building fee is of total tuition for each tuition  
10 category in the 1994-95 academic year, rounded up to the nearest half  
11 percent.

12       ~~((4))~~ (2) The governing boards of each institution of higher  
13 education, except for the technical colleges, shall charge to and  
14 collect from each student a services and activities fee. A governing  
15 board may increase the existing fee annually, consistent with budgeting  
16 procedures set forth in RCW 28B.15.045, by a percentage not to exceed  
17 the annual percentage increase in student tuition fees for ~~((the~~  
18 ~~applicable tuition category))~~ resident undergraduate students:  
19 PROVIDED, That such percentage increase shall not apply to that portion  
20 of the services and activities fee previously committed to the  
21 repayment of bonded debt. These rate adjustments may exceed the fiscal  
22 growth factor. For the 2003-04 academic year, the services and  
23 activities fee shall be based upon the resident undergraduate services  
24 and activities fee in 2002-03. The services and activities fee  
25 committee provided for in RCW 28B.15.045 may initiate a request to the  
26 governing board for a fee increase.

27       ~~((5))~~ (3) Tuition and services and activities fees consistent  
28 with subsection ~~((4))~~ (2) of this section shall be set by the state  
29 board for community and technical colleges for community college summer  
30 school students unless the community college charges fees in accordance  
31 with RCW 28B.15.515.

32       ~~((6))~~ (4) Subject to the limitations of RCW 28B.15.910, each  
33 governing board of a community college may charge such fees for  
34 ungraded courses, noncredit courses, community services courses, and  
35 self-supporting courses as it, in its discretion, may determine,  
36 consistent with the rules of the state board for community and  
37 technical colleges.

1       **Sec. 7.** RCW 28B.15.100 and 1999 c 321 s 2 are each amended to read  
2 as follows:

3       (1) The governing boards of the state universities, the regional  
4 universities, The Evergreen State College, and the community colleges  
5 shall charge to and collect from each of the students registering at  
6 the particular institution for any quarter or semester such tuition  
7 fees and services and activities fees, and other fees as such board  
8 shall in its discretion determine. The total of all fees shall be  
9 rounded to the nearest whole dollar amount: PROVIDED, That such  
10 tuition fees (~~for other than the summer term~~) shall be (~~in the~~  
11 ~~amounts for the respective institutions as otherwise set forth in~~)  
12 established in accordance with RCW 28B.15.067.

13       (2) Part-time students shall be charged tuition and services and  
14 activities fees proportionate to full-time student rates established  
15 for residents and nonresidents: PROVIDED, That except for students  
16 registered at community colleges, students registered for fewer than  
17 two credit hours shall be charged tuition and services and activities  
18 fees at the rate established for two credit hours: PROVIDED FURTHER,  
19 That, subject to the limitations of RCW 28B.15.910, residents of Idaho  
20 or Oregon who are enrolled in community college district number twenty  
21 for six or fewer credits during any quarter or semester may be exempted  
22 from payment of all or a portion of the nonresident tuition fees  
23 differential upon a declaration by the higher education coordinating  
24 board that it finds Washington residents from the community college  
25 district are afforded substantially equivalent treatment by such other  
26 states.

27       (3) Full-time students registered for more than eighteen credit  
28 hours shall be charged an additional operating fee for each credit hour  
29 in excess of eighteen hours at the applicable established per credit  
30 hour tuition fee rate for part-time students: PROVIDED, That, subject  
31 to the limitations of RCW 28B.15.910, the governing boards of the state  
32 universities and the community colleges may exempt all or a portion of  
33 the additional charge, for students who are registered exclusively in  
34 first professional programs in medicine, dental medicine, veterinary  
35 medicine, doctor of pharmacy, or law, or who are registered exclusively  
36 in required courses in vocational preparatory programs.

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